

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORTH WORTH DIVISION

CONSUMER FINANCIAL
PROTECTION BUREAU,

Plaintiff,

v.

FIRSTCASH, INC., *et al*,

Defendants.

Civil Action No. 4:21-cv-01251-P

**DEFENDANT FIRSTCASH, INC.'S MOTION
FOR JUDGMENT ON THE PLEADINGS**

COME NOW Defendants FirstCash, Inc. and its subsidiaries (collectively, “FirstCash”) in the above-styled and numbered action and file this Motion for Judgment on the Pleadings. FirstCash is entitled to judgment in its favor in the above-filed action because the Consumer Financial Protection Bureau (“CFPB”) obtained the funding that it used to prosecute this action in violation of the Constitution and therefore all actions it has taken in this matter are invalid and void *ab initio*.

SUMMARY

FirstCash moves for judgment on the pleadings, requesting that the Court enter judgment in FirstCash’s favor on each count of the Amended Complaint [Dkt. No. 51]. As set forth more fully in FirstCash’s contemporaneously filed Brief in Support of this Motion pursuant to Local Rule 7.1(d), the CFPB receives its funding outside the Congressional appropriations process, in violation of the Appropriations Clause and underlying separation of powers principles that are embedded throughout the Constitution. Among other authorities relied upon, FirstCash notes that the Fifth Circuit recently held in *Community Financial Services Association of America v. CFPB*, No. 21-50826, 2022 WL 11054082 (5th Cir. Oct. 19, 2022) that the CFPB’s funding structure is unconstitutional and that action undertaken by the CFPB employing that funding is invalid.

REQUESTED RELIEF

FirstCash respectfully asks this Court to grant this Motion for Judgment on the Pleadings, dismiss all claims against FirstCash with prejudice, and enter judgment in FirstCash's favor on each count of the Amended Complaint [Dkt. No. 51], as well as any other relief to which it may be entitled.

Dated: October 24, 2022

Respectfully submitted,

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*Attorneys for FirstCash, Inc. and
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CERTIFICATE OF SERVICE

I hereby certify that, on October 24, 2022, I caused a true and correct copy of this document to be served upon counsel of record for plaintiff Consumer Financial Protection Bureau via email. Copies were sent to counsel identified below.

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